

# **Exhibit A**

DECLARATION OF MR PHILIPPE DISAINE RAKOTONDRAMBOAHAVA  
IN OPPOSITION TO APPLICATION FOR AN ORDER TO CONDUCT DISCOVERY  
FOR USE IN FOREIGN PROCEEDINGS PURSUANT TO 28 U.S.C. § 1782

MR PHILIPPE DISAINE RAKOTONDRAMBOAHAVA, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury:

I made an appeal to the Indictment Chamber of the PAC (Pôle Anti-Corruption) against a non-contradictory Order for Partial Non-Suit, Requalification and Referral released on November 29, 2022 by the interim Senior Investigating Judge of the PAC.

On December 27, during the hearing of the Indictment Chamber of the PAC :

- Mrs Federika Banks Andrianzanatany withdrew her defense of Symbion Power Mandroseza,
- Mrs Haingo Raharifidy representing Symbion Power Mandroseza confirmed that Symbion Power Mandroseza had given up penal proceedings against Mr Paul Hinks and Mrs Mirela Comanicu due to the absence of préjudice,
- Mr Tojo Rakotoarivelo represented Vima as a civil party,
- I pleaded for Mr Paul Hinks and Mrs Mirela Comanicu.

After the hearing, the Indictment Chamber of the PAC released its decision according to which the appeal made by Mr Paul Hinks and Mrs Mirela Comanicu was not admissible.

On December 28, 2022, I have made an appeal to the Cassation Court of the Supreme Court against the decision released by the Indictment Chamber of the PAC on December 27, 2022.

Due to the hierarchy of jurisdictions and of judiciary decisions, the public trial of the PAC Criminal Court scheduled on March 9, 2022 will be postponed until the decision from the Cassation Court of the Supreme Court of Madagascar is released.

Prior to the resolution of the appeal to the Cassation Court of the Supreme Court that is now pending, which I filed on December 28, 2022, no Court can or will take any evidence from VIMA or from Mr Zouzar Bouka.

Antananarivo (Madagascar). December 29, 2022

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